

Docket No.: 052260.0004 (QSI-0001C2)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Confirmation No.: 9985

Paul Nicolas MURET, et al.

Group Art Unit: 2167

Serial No.: 10/799,738

Examiner: Kuen S. Lu

Filed: March 15, 2004

Customer No.: 45309

For: **SYSTEM AND METHOD FOR MONITORING AND ANALYZING
INTERNET TRAFFIC**

RESPONSE AFTER FINAL

U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In reply to the Office Action of May 9, 2007, Applicants file herewith a Petition to Revoke an Unintentionally Abandoned Application. In the Office Action, pending claims 1-14 were rejected as anticipated by U.S. Patent No. 7,093,194 (Nelson). (Office Action at 2-8.) Applicants observe, however, that Nelson does not qualify as prior art. Applicants' application is a continuation of U.S. Application No. 09/679,297, which was filed October 4, 2000. (See Filing Receipt mailed May 28, 2004, a copy of which is enclosed.) Nelson has an earliest possible effective filing date of October 27, 2000, meaning it is not prior art.*

* Applicants do not concede that Nelson, as applied by the Office in the Office Action, is actually entitled to an effective filing date of October 27, 2000. Applicants merely point out that even assuming, *arguendo*, that such an effective filing date is available, the reference does not qualify as prior art.

The source of the Office's error may have been a misfiled Request for Corrected Filing Receipt submitted to the Office on June 24, 2004, by an applicant for another application. That Request erroneously listed Applicants' application. Information from that Request was listed in U.S. Patent Application Publication No. 2005/0165889 ("the '889 publication"), resulting in an incorrect description of Related U.S. Application Data (see Item 63) for Applicants' application. Also, the '889 publication did not reflect Applicants' requested amendment of the specification to identify the application's status as a continuation of U.S. Application No. 09/679,297, filed October 4, 2000. (See Transmittal Form Item 11a, filed March 15, 2004). Applicants' previously requested amendment should now be entered.

Applicants also observe that the May 28, 2004, Filing Receipt is not currently available in the PAIR image file for the present application, and request that the Filing Receipt be included there.